

BEFORE THE DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 24.301.401 incorporation by)
reference of national electrical code,)
and 24.301.461 electrical inspections)
fees)

TO: All Concerned Persons

1. On August 7, 2014, the Department of Labor and Industry (department) published MAR Notice No. 24-301-287 regarding the public hearing on the proposed amendment of the above-stated rules, at page 1769 of the 2014 Montana Administrative Register, Issue No. 15.

2. On August 28, 2014, a public hearing was held on the proposed amendment of the above-stated rules in Helena. Several comments were received by the September 5, 2014, deadline.

3. The department has thoroughly considered the comments received. A summary of the comments received and the board's responses are as follows:

COMMENT 1: One commenter stated that their organization was in support of the proposed amendment to ARM 24.301.401 and the new fee associated with the rule. The commenter also commended the department for providing training to inspectors on alternate energy systems.

RESPONSE 1: The department recognizes the participation of the commenter's organization and their help in formulating the language and inaugural fee structure. The department appreciates the commendation.

COMMENT 2: One commenter supported the amendment and, stated that because it is found in the National Electric Code, it makes sense to provide the permitting and inspection of it. The commenter also inquired whether there was a method that could speed up the code adoption process.

RESPONSE 2: The department recognizes the participation of the commenter's organization in this process and concurs that the rule pertains to provisions in the National Electric Code. On the issue of expediting code adoptions, the department seeks to find a balance between providing a transparent, open method and accelerating the process. The department finds great value in providing staff-generated code analysis, listening sessions, and seeking advice from the Building Codes Council prior to formulating a rule proposal. This may extend the time necessary to adopt a code, but provides people, businesses, and organizations affected by the code several opportunities to weigh in on its adoption.

4. The board has amended ARM 24.301.401 and 24.301.461 exactly as proposed.

/s/ DARCEE L. MOE

Darcee L. Moe
Rule Reviewer

/s/ PAM BUCY

Pam Bucy, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State October 14, 2014